

4-1-04
31

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 3413 NORTH HILLS DRIVE, 6415 HART LANE AND
3 6426 MOPAC EXPRESSWAY NORTH FROM LIMITED OFFICE-
4 CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT AND GENERAL
5 OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT TO
6 GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING
7 DISTRICT FOR TRACT A AND COMMUNITY COMMERCIAL-CONDITIONAL
8 OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT B.

9
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11
12 **PART 1.** The zoning map established by Section 25-2-194 of the City Code is amended to
13 change the base districts on the property described in Zoning Case No.C14-03-0120, on
14 file at the Neighborhood Planning and Zoning Department as follows:

15
16 Tract A: From limited office-conditional overlay (LO-CO) combining district and
17 general office-conditional overlay (GO-CO) combining district to general office-
18 conditional overlay (GO-CO) combining district.

19
20 A 2.764 acre tract of land, more or less, out of the T.J. Chambers Survey in Travis
21 County, the tract of land being more particularly described by metes and bounds in
22 Exhibit "A" incorporated into this ordinance; and

23
24 Tract B: From limited office-conditional overlay (LO-CO) combining district and
25 general office-conditional overlay (GO-CO) combining district to community
26 commercial conditional overlay (GR-CO) combining district.

27
28 A 0.572 acre tract of land, more or less, out of the T.J. Chambers Survey in Travis
29 County, the tract of land being more particularly described by metes and bounds in
30 Exhibit "B" incorporated into this ordinance, (the "Property")

31
32 locally known as 3413 North Hills Drive, 6415 Hart Lane and 6426 Mopac Expressway
33 North, in the City of Austin, Travis County, Texas, and generally identified in the map
34 attached as Exhibit "C".

1 **PART 2.** The Property within the boundaries of the conditional overlay combining district
2 established by this ordinance is subject to the following conditions:

- 3
- 4 1. Vehicular access from the Property to Hart Lane is prohibited. All vehicular access to
5 the Property shall be from other adjacent public streets or through other adjacent
6 property.
- 7
- 8 2. The minimum building setback is 55 feet from the west property line.
- 9
- 10 3. Except as provided in section 4, the maximum height of a building or structure is 765
11 feet above sea level.
- 12
- 13 4. The maximum height of a building or structure that includes an exception under
14 Section 25-2-531 (*Height Limit Exceptions*) of the Code is 771 feet above sea level.
- 15
- 16 5. The following uses are prohibited uses of Tract A:

- | | | |
|----|---|--|
| 17 | | |
| 18 | Bed and breakfast residential (Group 1) | Bed and breakfast residential (Group 2) |
| 19 | Art and craft studio (limited) | Business or trade school |
| 20 | Business support services | Communications services |
| 21 | Off-site accessory parking | Personal services |
| 22 | Restaurant (limited) | Special use historic |
| 23 | Club or lodge | College and university facilities |
| 24 | Communication service facilities | Community recreation (private) |
| 25 | Community recreation (public) | Congregate living |
| 26 | Convalescent services | Counseling services |
| 27 | Cultural services | Day care services (commercial) |
| 28 | Day care services (general) | Day care services (limited) |
| 29 | Family home | Group home class 1 (general) |
| 30 | Group home class 1 (limited) | Group home class 2 |
| 31 | Guidance services | Hospital services (general) |
| 32 | Private primary educational facilities | Private secondary educational facilities |
| 33 | Public primary educational facilities | Public secondary educational facilities |
| 34 | Residential treatment | Safety services |
| 35 | | |
| 36 | | |
| 37 | | |
| 38 | | |
| 39 | | |
| 40 | | |

6. The following uses are prohibited uses of Tract B:

- | | | |
|----|--|---|
| 1 | | |
| 2 | | |
| 3 | Bed and breakfast residential (Group 1) | Bed and breakfast residential (Group 2) |
| 4 | Art and craft studio (limited) | Art and craft studio (general) |
| 5 | Automotive sales | Automotive rental |
| 6 | Automotive repair services | Automotive washing (of any type) |
| 7 | Business or trade school | Business support services |
| 8 | Campground | Commercial off-street parking |
| 9 | Communications services | Consumer convenience services |
| 10 | Consumer repair services | Extermination services |
| 11 | Food sales | Funeral services |
| 12 | General retail sales (convenience) | General retail sales (general) |
| 13 | Hotel-motel | Indoor entertainment |
| 14 | Indoor sports and recreation | Off-street accessory parking |
| 15 | Outdoor entertainment | Outdoor sports and recreation |
| 16 | Pawn shop services | Personal improvement services |
| 17 | Personal services | Pet services |
| 18 | Plant nursery | Research services |
| 19 | Restaurant (limited) | Restaurant (general) |
| 20 | Service station | Theater |
| 21 | Custom manufacturing | Urban farm |
| 22 | Special use historic | Club or lodge |
| 23 | College and university facilities | Communication service facilities |
| 24 | Community recreation (private) | Community recreation (public) |
| 25 | Congregate living | Convalescent services |
| 26 | Counseling services | Cultural services |
| 27 | Day care services (commercial) | Day care services (general) |
| 28 | Day care services (limited) | Family home |
| 29 | Group home class 1 (general) | Group home class 1 (limited) |
| 30 | Group home class 2 | Guidance services |
| 31 | Hospital services (general) | Private primary educational facilities |
| 32 | Private secondary educational facilities | Public primary educational facilities |
| 33 | Public secondary educational facilities | Residential treatment |
| 34 | Safety services | |

36 Except as specifically restricted under this ordinance, the Property may be developed and
37 used in accordance with the regulations established for the respective base districts and
38 other applicable requirements of the City Code.
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PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

§
§
§

Will Wynn
Mayor

APPROVED: _____

ATTEST _____

David Allan Smith
City Attorney

Shirley A. Brown
City Clerk

EXHIBIT A

FN-04-006-02-01
Proposed General Office (GO)
2.764 Acres^A
February 4, 2004

FIELD NOTE DESCRIPTION FOR A 2.764 ACRE PARCEL
(GO ZONING)

DESCRIPTION OF A 2.764 ACRE TRACT OF LAND, HEREIN IN THE T. J. CHAMBERS SURVEY IN TRAVIS COUNTY, TEXAS BEING PART OF THAT LOT 4 AND ALL OF LOTS 2 AND 3 OF NORTHWEST HILLS SECTION 15-A, A SUBDIVISION OF RECORD IN BOOK 86, PAGE 65A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO BALCONES CENTRUM, LTD., OF RECORD IN DOCUMENT NO. 2000042959 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.764 ACRE (24,906 SQUARE FEET) TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a ½ inch iron rod found for the northwest corner of Lot 4 of said Northwest Hills Section 15-A, being also the northeast corner of Lot 1 of Northwest Hills, Section Eleven, Phase One, a subdivision of record in Book 40, Page 31 of the Plat Records of Travis County, Texas, being also in the south line of North Hills Drive, a 60 foot wide right-of-way, and being the northwest corner of the herein described tract, said point having a Texas State Plane Coordinates (Texas Central zone NAD83, U.S. Feet) values of N=10,099,701.06 and E=3,110,800.78;

THENCE with the north line of said Lot 4, the south line of said North Hills Drive, and the north line of the herein described tract, the following two (2) courses and distances;

1. S 69°10'42" E for a distance of 89.94 feet to a ½ inch iron rod found for an angle point, and
2. S 60°22'41" E for a distance of 9.84 feet to a concrete monument found for an angle point in the north line of said Lot 4 and being at the intersection of the south line of said North Hills Drive and the west line of Loop 1 Frontage Road (MoPac Boulevard) a varying width right-of-way;

THENCE S 43°37'52" E, with the northeast line of said Lot 4 and the west line of said Loop 1 Frontage Road, for a distance of 30.20 feet to a calculated point;

General Office Zoning (GO)
2.764 Acres

FN 04-006-02-01
February 04, 2004

THENCE departing the west line of said Loop 1 Frontage Road and over and across said Lot 4, the following six (6) courses and distances;

1. S 64°54'26" W for a distance of 83.79 feet to a calculated point,
2. S 25°05'34" E for a distance of 80.63 feet to a calculated point,
3. S 64°54'26" W for a distance of 19.82 feet to a calculated point,
4. S 25°05'34" E for a distance of 40.29 feet to a calculated point,
5. S 19°54'26" W for a distance of 85.50 feet to a calculated point, and
6. S 70°05'34" E for a distance of 98.37 feet to a calculated point in the east line of said Lot 4 and being in the west line of said Loop 1 Frontage Road;

THENCE S 19°54'26" W with the east line of said Lot 4, the west line of said Loop 1 Frontage Road and the east line of the herein described tract, at a distance of 24.99 feet pass a ½ inch iron rod found for the southeast corner of said Lot 4 and being the northeast corner of Lot 3 of said Northwest Hills Section 15-A, at a distance of 329.94 feet pass a cotton spindle found for the southeast corner of said Lot 3 and being the northeast corner of Lot 2 of said Northwest Hills Section 15-A, for a total distance of 385.76 feet to a concrete monument found for an angle point in the east line of said Lot 2, being also an angle point in the east line of the herein described tract and being an angle point in the west line of said Loop 1 Frontage Road;

THENCE continuing with the east line of said Lot 2, the east line of the herein described tract and the west line of said Loop 1 Frontage Road the following two (2) courses and distances;

1. S 27°03'48" W for a distance of 260.65 feet to a ½ inch iron rod found for an angle point, and
2. S 73°28'22" W for a distance of 20.78 feet to an "X" found marked in concrete at the intersection of said west line of Loop 1 Frontage Road and the north line of Hart Lane, a 60 foot wide right-of-way, being also the most southerly southeast corner of said Lot 2 and being the most southerly southeast corner of the herein described tract;

THENCE with the north line of said Hart Lane, the south line of said Lot 2 and the south line of the herein described tract, the following two (2) courses and distances;

1. N 62°53'45" W for a distance of 114.70 feet to a ½ inch iron rod found for an angle point, and

2. N 69°26'47" W for a distance of 21.48 feet to a ½ inch iron rod found for the southwest corner of said Lot 2, being also the southwest corner of the herein described tract and being the southeast corner of Lot 3 of Northwest Hills, Section Eleven, Phase Two, a subdivision of record in Book 42, Page 7 of the Plat Records of Travis County, Texas;

THENCE N 27°12'46" E, with the west line of said Lot 2, Northwest Hills Section 15-A, the west line of the herein described tract and the east line of said Lot 3, Northwest Hills Section Eleven, Phase Two, for a distance of 265.22 feet to a ½ inch iron rod found for an angle point in the west line of said Lot 2, Northwest Hills Section 15-A, being also an angle point in the west line of the herein described tract, being also the northeast corner of said Lot 3, Northwest Hills Section Eleven, Phase Two and being the southeast corner of Lot 2 of said Northwest Hills Section Eleven, Phase Two;

THENCE with the west line of said Lot 2, Northwest Hills Section 15-A, the west line of the herein described tract and the east line of said Lot 2, Northwest Hills Section Eleven, Phase Two, the following two (2) courses and distances;

1. N 19°51'32" E, at a distance of 64.06 feet pass a ½ inch iron rod found for the northwest corner of said Lot 2, Northwest Hills Section 15-A and being the southwest corner of said Lot 3, Northwest Hills Section 15-A, for a total distance of 294.13 feet to a ½ inch iron rod found for an angle point, and
2. N 20°33'36" E, at a distance of 58.99 feet pass a ½ inch iron rod found for the northwest corner of said Lot 3, Northwest Hills Section 15-A and being in the southwest corner of said Lot 4, Northwest Hills Section 15-A, for a total distance of 183.95 feet to a ½ inch iron rod found for the northeast corner of said Lot 2, Northwest Hills Section Eleven, Phase Two, being also an angle point in the west line of said Lot 4, Northwest Hills Section 15-A and being an angle point in the west line of the herein described tract;

THENCE N 63°09'05" W, with the north line of said Lot 2, Northwest Hills Section Eleven, Phase Two, and a south line of said Lot 4, Northwest Hills Section 15-A and a south line of the herein described tract, for a distance of 108.17 feet to a ½ inch iron rod found for the most westerly southwest corner of said Lot 4, Northwest Hills Section 15-A, being also an angle point in the west line of the herein described tract, being also the northwest corner of said Lot 2, Northwest Hills Section Eleven, Phase Two and being in the east line of said Lot 1, Northwest Hills Section Eleven, Phase One;

THENCE N 27°11'03" E, with the west line of said Lot 2, Northwest Hills Section 15-A, the west line of the herein described tract and the east line of said Lot 1, Northwest Hills Section Eleven, Phase One, for a distance of 149.95 feet to the POINT OF BEGINNING and containing 2.764 acres of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Texas Central Zone (4203), NAD 83 (CORS). Project reference control points were established from and referenced to "Austin RRP" having coordinate values of N=10,086,515.87, E=3,109,682.56.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during January, 2004 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of February 2004, A.D.



Zamora-Warrick and Associates, L.L.C
3737 Executive Center Drive, Suite 111
Austin, Texas 78731
512-241-1078

G. Rene Zamora 2/4/04
G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas

REFERENCES
TCAD PARCEL NO. 0136010105
ZWA FIELD NOTE NO. FN 04-006-02-01

L1 S73°28'22"W 20.78'
 L2 N69°26'47"W 21.48'
 L3 S80°22'41"E 9.84'
 L4 N20°51'01"E 59.85'
 L5 N27°10'37"E 59.64'

(L1) S74°41'45"W 21.21'
 (L2) N66°38'00"W 21.45'
 (L3) S57°46'19"E 9.84'
 (L4) N23°27'52"E 60.06'
 (L5) N29°41'45"E 59.63'

NORTHWEST HILLS
 SECTION ELEVEN, PHASE TWO
 BOOK 42, PAGE 7
 P.R.T.C.T.



SCALE: 1" = 50'
 FEBRUARY, 2004
 TRAVIS COUNTY, TEXAS

LEGEND:

- ▣ CONCRETE MONUMENT FOUND
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD W/CAP SET
- ⊗ SPINDLE FOUND
- X 'X' IN CONCRETE FOUND
- △ CALCULATED POINT
- P.U.E. PUBLIC UTILITY EASEMENT
- S.E. SIDEWALK EASEMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION

BEARING BASIS:
 TEXAS STATE PLANE COORDINATE SYSTEM
 CENTRAL ZONE, N.A.D. 83 DATUM

HART LANE
 (60' R.O.W.)

NORTHWEST HILLS SECTION FIFTEEN
 BOOK 85, PAGE 64C
 P.R.T.C.T.

ASCENSION LUTHERAN CHURCH SUBDIVISION
 BOOK 76, PAGE 152
 P.R.T.C.T.

MATCH LINE

2.5' P.U.E.
 VOL. 12712, PG. 20
 D.R.T.C.T.

LOT 2

LOT 3

(N22°27'13"E 294.11')
 (N19°51'32"E 294.13')



40.28'

N84°25'21"W 151.54'
 (N61°49'20"W 151.51')

84.08'
 (64.11')

(55.87')
 65.82'

LOT 3

GO

2.784 ACRES
 GENERAL OFFICE

LOOP 1 FRONTAGE ROAD
 (MOPAC BOULEVARD)
 (R.O.W. VARIES)

(N29°49'06"E 265.22')
 (N27°12'46"E 265.22')

5' P.U.E.

5' P.U.E.
 VOL. 12712, PG. 20
 D.R.T.C.T.

LOT 2

E 10' P.U.E.

2.5' P.U.E.
 VOL. 12712, PG. 20
 D.R.T.C.T.

130.0'

5' P.U.E.

T.J. CHAMBERS
 SURVEY

N62°53'45"W 114.70'
 (N60°18'15"W 114.62')

5' P.U.E. & S.E.

(L2)

(L1)

(L5)

(L4)

(L3)

(L2)

(L1)

EXHIBIT B

FIELD NOTE DESCRIPTION FOR A 0.572 ACRE PARCEL
(GR ZONING)

DESCRIPTION OF A 0.572 ACRE (24,906 SQUARE FEET) TRACT OF LAND, HEREIN IN THE T. J. CHAMBERS SURVEY IN TRAVIS COUNTY, TEXAS BEING PART OF THAT LOT 4 OF NORTHWEST HILLS SECTION 15-A, A SUBDIVISION OF RECORD IN BOOK 86, PAGE 65A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO BALCONES CENTRUM, LTD., OF RECORD IN DOCUMENT NO. 2000042959 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.572 ACRE (24,906 SQUARE FEET) TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING at a ½ inch iron rod found for the northwest corner of Lot 4 of said Northwest Hills Section 15-A, being also the northeast corner of Lot 1 of Northwest Hills, Section Eleven, Phase One, a subdivision of record in Book 40, Page 31 of the Plat Records of Travis County, Texas and being in the south line of North Hills Drive, a 60 foot wide right-of-way;

THENCE with the north line of said Lot 4 and the south line of said North Hills Drive, the following two (2) courses and distances;

1. S 69°10'42" E for a distance of 89.94 feet to a ½ inch iron rod found for an angle point, and
2. S 60°22'41" E for a distance of 9.84 feet to a concrete monument found for an angle point in the north line of said Lot 4 and being at the intersection of the south line of said North Hills Drive and the west line of Loop 1 Frontage Road (MoPac Boulevard) a varying width right-of-way;

THENCE S 43°37'52" E, with the northeast line of said Lot 4 and the west line of said Loop 1 Frontage Road, for a distance of 30.20 feet to a calculated point for the POINT OF BEGINNING and the most northerly corner of the herein described tract, said point having a Texas State Plane Coordinates (Texas Central Zone, NAD83, U.S. Feet) values of N=10,099,642.36 and E= 3,110,914.24;

General Retail Zoning (GR)
0.572 Acres

FN 04-006-02-02
February 04, 2004

THENCE continuing with the northeast and east lines of said Lot 4 and the west line of said Loop 1 Frontage Road right-of-way and with the east line of the herein described tract, the following three (3) courses and distances;

1. S 43°37'52" E for a distance of 75.09 feet to a concrete monument found,
2. S 03°24'11" E for a distance of 109.66 feet to a ½ inch iron rod with cap set for an angle point, and
3. S 19°54'26" W for a distance of 110.10 feet to a calculated point for the southeast corner of the herein described tract;

THENCE departing the west line of said Loop 1 Frontage Road and over and across said Lot 4, with the south and west lines of the herein described tract, the following six (6) courses and distances;

1. N 70°05'34" W for a distance of 98.37 feet to a calculated point,
2. N 19°54'26" E for a distance of 85.50 feet to a calculated point,
3. N 25°05'34" W for a distance of 40.29 feet to a calculated point,
4. N 64°54'26" E for a distance of 19.82 feet to a calculated point,
5. N 25°05'34" W for a distance of 80.63 feet to a calculated point, and
6. N 64°54'26" E for a distance of 83.79 feet to the POINT OF BEGINNING and containing 0.572 acres (24,906 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Texas Central Zone (4203), NAD 83 (CORS). Project reference control points were established from and referenced to "Austin RRP" having coordinate values of N=10,086,515.87, E=3,109,682.56.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

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That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during January, 2004 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of February 2004, A.D.



Zamora-Warrick and Associates, L.L.C
3737 Executive Center Drive, Suite 111
Austin, Texas 78731
512-241-1078

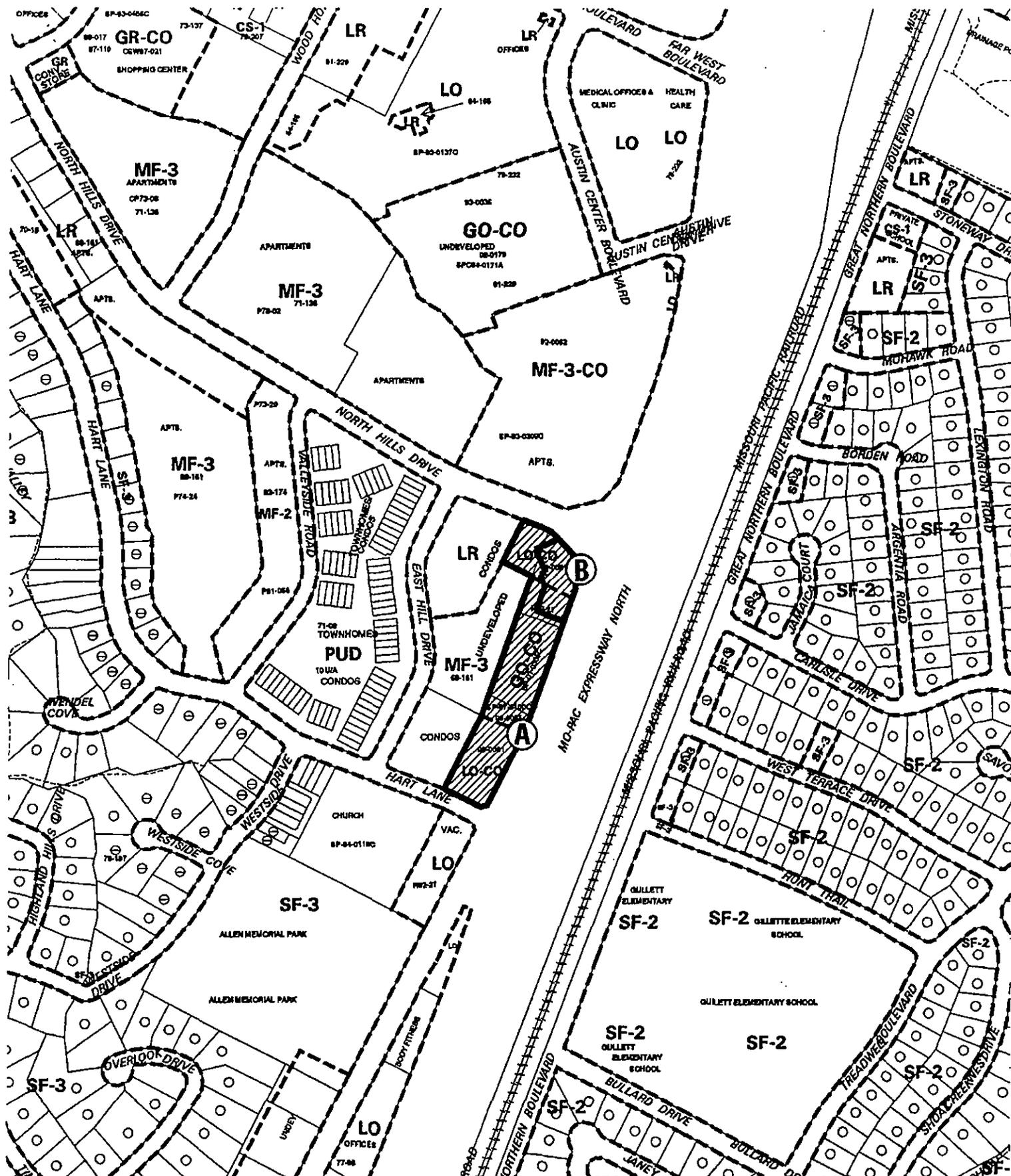
G. Rene Zamora 2/4/04
G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas

REFERENCES

TCAD PARCEL NO. 0136010105
ZWA FIELD NOTE NO. FN 04-006-02-02

General Retail Zoning (GR)
0.572 Acres

FN 04-006-02-02
February 04, 2004



<p>1" = 400'</p>	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: G. RHOADES</p>	<p>CASE #: C14-03-0120</p> <p>ADDRESS: NORTH HILLS LA BETWEEN HART LA & NMO-PAC NB EXPY SUBJECT AREA (acres): 3.340</p>	<p>ZONING</p> <p>DATE: 04-02</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>H29</p>
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